DETAILED ACTION

Response to Amendment

Applicant's amendment received on 12/12/2006 is acknowledged and entered.

The applicant has amended claims 10 and 30. Currently, claims 1-52 are pending for

examination.

Drawings

The drawings were received on 02/05/2007. These drawings are not acceptable

(see comments in the previous Office Action of 06/12/2006).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 30-34, 36, 38, 43, 45-48 are rejected under 35 U.S.C. 102(e) as being
anticipated by Leishman et al. (US 2004/0073538).

Claim 30. Leishman et al. (Leishman) teaches a computer-implemented method for searching a geo-coded database comprising:

(a)providing a geo-indexed database including information on a plurality of businesses and a logic processing unit through which each business in the database is assigned to a business category and for associating criteria to each business category [0016];

(b) accepting a search request in a data, voice or messaging format from the customer from a communication device, the search request including criteria associated with a business category to the customer [0040], [0036];

(c) converting the search request to a digital signal representation understandable by a computer system ([0032], the fact that the system displays search results to the customer indicates converting the request to a digital signal representation understandable by a computer system); and

(c) operating the logic processing unit to obtain appropriate information from the customer based on the criteria associated with the business category of interest and searching the database to generate a list of businesses from the business category selected by the customer [0040], [0066].

Claim 31. Leishman teaches said method further comprising determining a location of interest to the customer and wherein the list of businesses is generated to highlight businesses proximal to the location of interest [0034], [0062].

Claim 32. Leishman teaches said method wherein the criteria associated with a business category includes a location specificity to determine the resolution to be used in assessing businesses proximal to the location of interest [0069].

Claim 33. Leishman teaches said method where in the location of interest to the customer need only be to the same resolution as the resolution determined by the location specificity [0069].

Claim 34. Leishman teaches said method wherein the list of businesses is ranked to list those businesses most proximal to the location of interest first [0064].

Claim 36. Leishman teaches said method wherein the search request is based on a business category of interest to the customer [0036].

Claim 38. Leishman teaches a computer-implemented method for searching a geo-coded database comprising:

(a)receiving a search request in a data, voice, or messaging format from a customer from a communication device, the search request specifying business information of interest and a location of interest [0040], [0036];

(b)converting the search request to a digital signal representation understandable by a computer system ([0032], the fact that the system displays search results to the user indicates converting the request to a digital signal representation understandable by a computer system);

(c)in response to the search request, assigning a location specificity to the business information of interest and searching a geo-indexed database of business information for a particular data item relating to the business information of interest [0074];

(d)with reference to the location specificity of the business of interest, prioritizing search results based on proximity to the location of interest [0034], [0062]; and

(e)generating a list of prioritized search results into the format used for the search request [0032].

Claim 43. Leishman teaches said method wherein the search is personalized by the customer [0047].

Claim 45. Leishman teaches said method wherein a registered customer provides business ratings and requests promotional material [0048].

Claim 46. Leishman teaches said method further comprising a step of charging the customer a fee for each search request [0078].

Claim 47. Leishman teaches said method further comprising a step of charging businesses a fee for each instance of inclusion on a list of search results [0078].

Claim 48. Leishman teaches said method further comprising a step of obtaining location and communication device information from the customer or from the customer's communication device [0072].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 35, 37, 40, 41 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leishman in view of Ford et al. (US 2005/0289140).

Claim 35. Leishman teaches all the limitations of claim 35 except that the list of

businesses is further ranked by applying weighting factors to the businesses in the list.

Ford et al. (Ford) teaches a computer implemented method for assisting users in

conducting online searches wherein the list of businesses is further ranked by applying

weighting factors to the businesses in the list [0008], [0009].

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Leishman to include that the list of businesses is further

ranked by applying weighting factors to the businesses in the list, as disclosed in Ford,

because it would allow to present to the customer the most significant or relevant items

first, thereby providing convenience to the customer (Ford, [0008]).

Claim 37. Leishman teaches all the limitations of claim 37 except that the search

request is based on a popular business name of interest to the customer, and the logic

processing unit associates the popular business name to a business category.

Ford teaches a computer implemented method for assisting users in conducting online searches wherein the search request is based on a popular business name of interest to the customer and the logic processing unit associates the popular business name to a business category [0008].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Leishman to include the search request is based on a popular business name of interest to the customer and the logic processing unit associates the popular business name to a business category, as disclosed in Ford, because it would allow customer to obtain the most popular and therefore most desirable items.

Claim 40. Leishman teaches all the limitations of claim 40 except that prioritizing the search results further includes scoring by applying weighting factors.

Ford teaches a computer implemented method for assisting users in conducting online searches including prioritizing the search results further includes scoring by applying weighting factors [0008].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Leishman to include prioritizing the search results further includes scoring by applying weighting factors, as disclosed in Ford, because it would allow to present to the customer the most significant or relevant items first, thereby providing convenience to the customer (Ford, [0008]).

Claim 41. Leishman teaches all the limitations of claim 41 except that the weighting factors include ratings from previous customers.

Ford teaches a computer implemented method for assisting users in conducting online searches including that the weighting factors include ratings from previous customers [0064].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Leishman to include that the weighting factors include ratings from previous customers, as disclosed in Ford, because it would allow the customer to obtain independent from manufacturers opinion regarding this product.

Claims 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leishman in view of Soulanille et al. (US 2005/0289120).

Claim 39. Leishman et al. (Leishman) teaches all the limitations of claim 39 except that the prioritized search results are randomized.

Soulanille et al. (Soulanille) teaches a method for influencing a position on a search result list wherein the identified search listings are arranged for display in a random order [0016]. The motivation to combine Leishman and Soulanille teachings would be to maximize revenue for the search operator as well as improving click through rates for web site promoters, as specifically taught by Soulanille [0015].

Claims 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leishman in view of Hagen (US 2002/0120506).

Claim 42. Leishman teaches all the limitations of claim 42 except that the weighting factors include the businesses' status in a tiered rate structure system.

Hagen teaches a method for electronic classified advertising wherein that the weighting factors include the businesses' status in a tiered rate structure system [0591]. The motivation to combine Leishman and Hagen teachings would be to help customer to estimate the reliability of the business selected.

Claim 44. Leishman teaches all the limitations of claim 44 except a registration step whereby a customer registers and obtains a login name and password.

Hagen teaches a method for electronic classified advertising wherein a customer registers and obtains a login name and password [0118]. The motivation to combine Leishman and Hagen teachings would be to provide a secure system that will restrict unauthorized user to enter the searching databases thereby providing protection to customer data.

Claims 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leishman in view of Case et al. (US 2002/0126819).

Claim 49. Leishman teaches all the limitations of claim 49 except of the step directly connecting a customer with a business.

Case et al. (Case) teaches an automated business directory assistance including directly connecting a customer with a business [0031]. The motivation to combine Leishman and Case teachings would be to handle a wide variety of situations without dropping the requesting call, thereby increasing customer service [0006].

System claims 1-29 repeat the subject matter of method claims 30-52 respectively, as a set of apparatus elements rather than a series of steps. As the underlying processes of claims 30-52 have been shown to be fully disclosed by the teachings of Leishman and Ford in the above rejections of claims 30-52, it is readily apparent that the system disclosed by Leishman and Ford includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 30-52, and incorporated herein.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leishman in view of Soulanille.

Claim 50. Leishman teaches a computer-implemented method for searching a geo-coded database comprising prioritizing the results using weighting factors comprising relevancy and location [0036].

However Leishman does not teach randomizing the prioritized results.

Soulanille teaches a method for influencing a position on a search result list wherein the identified search listings are arranged for display in a random order [0016]. The motivation to combine Leishman and Soulanille teachings would be to maximize

revenue for the search operator as well as improving click through rates for web site

promoters, as specifically taught by Soulanille [0015].

Claims 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Leishman and Soulanille, as applied to claim 50, and further in view of Ford.

Claim 51. The combination of Leishman and Soulanille teaches all the limitations

of claim 51 except that the weighting factors include ratings from previous customers.

Ford teaches a computer implemented method for assisting users in conducting

online searches including that the weighting factors include ratings from previous

customers [0064].

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Leishman and Soulanille to include the weighting factors

include ratings from previous customers, as disclosed in Ford, because it would allow

the customer to obtain independent from manufacturers opinion regarding this product.

Claims 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Leishman and Soulanille, as applied to claim 50, and further in view of Hagen.

Claim 52. The combination of Leishman and Soulanille teaches all the limitations of claim 52 except that the weighting factors include the businesses' status in a tiered rate structure system.

Hagen teaches a method for electronic classified advertising wherein that the weighting factors include the businesses' status in a tiered rate structure system [0591]. The motivation to combine Leishman, Soulanille and Hagen teachings would be to would be to help customer to estimate the reliability of the business selected.

Response to Arguments

Applicant's arguments filed 12/12/2006 have been fully considered but they are not persuasive.

In response to Applicant's argument that the prior art does not teach receiving a search request in a data, voice **or** messaging format and converting the search request to a digital representation understandable by a computer system, it is noted that Leishman explicitly teach said feature. Specifically, Leishman teaches "*A search query can be conducted either through user* **keyword** *input or by selecting from a customized, `clickable` category tree" [0040]*. As per "converting" feature, the fact that the system displays search results to the customer indicates converting the inputted data to a digital signal representation understandable by a computer system.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, all the references are directed to assisting users in conducting online searches.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on (571)272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. A./

Examiner, Art Unit 3625

/Mark Fadok/

Primary Examiner, Art Unit 3625